

09/786190

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PATENT TRADEMARK OFFICE

CHAPTER II

**TRANSMITTAL LETTER  
TO THE UNITED STATES ELECTED OFFICE (EO/US)  
(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)**

INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED

PCT/GB99/02988 8 SEPTEMBER 1999 8 SEPTEMBER 1998

TITLE OF INVENTION

SNOW-TYPE BIKE

APPLICANT(S)

ANDREW GEORGE SILVER

Box PCT

Assistant Commissioner for Patents

Washington D.C. 20231

ATTENTION: EO/US

**NOTE:** *The completion of those filing requirements that can be made at a time later than 30 months from the priority date results from the Commissioner exercising his judgment under the authority granted under 35 USC 371(d). The filing receipt will show the actual date of receipt of the last item completing the entry into the national phase. See 37 C.F.R. §1.491 which states: "An international application enters the national state when the applicant has filed the documents and fees required by 35 USC 371(c) within the periods set forth in § 1.494 and § 1.495."*

**WARNING:** *Where the items are those which can be submitted to complete the entry of the international application into the national phase are subsequent to 30 months from the priority date the application is still considered to be in the international state and if mailing procedures are utilized to obtain a date the express mail procedure of 37 C.F.R. §1.10 must be used (since international application papers are not covered by an ordinary certificate of mailing - See 37 C.F.R. §1.8.*

**CERTIFICATION UNDER 37 C.F.R. 1.10\***

*(Express Mail label number is **mandatory**.)*

*(Express Mail certification is **optional**)*

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date MARCH 1, 2001, in an envelope as "Express Mail Post Office to Addressee," Mailing Label Number EL 728211454 US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

MARIA MELIAN

*(type or print name of person mailing paper)*

Maria Melian

*Signature of person mailing paper*

**WARNING:** *Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.*

**\*WARNING:** *Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).*

*"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct 24, 1996, 60 Fed. Reg. 56,439, at 56,442.*

09/786190

JC02 Rec'd PCT/PTO 01 MAR 2001

*NOTE: Documents and fees must be clearly identified as a submission to enter the national stage under 35 USC 371 otherwise the submission will be considered as being made under 35 USC 111. 37 C.F.R. § 1.494(f).*

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. 371:

- a.  This express request to immediately begin national examination procedures (35 U.S.C. 371(f)).
- b.  The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees (37 C.F.R. § 1.492) as indicated below:

2. Fees

CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
[ ]*	TOTAL CLAIMS	20 - 20 =		x \$ 18.00 =	\$
	INDEPENDENT CLAIMS	1 - 3 =		x \$ 80.00 =	
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00					
BASIC FEE**	<p>[ ] U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where an International preliminary examination fee as set forth in § 1.482 has been paid on the international application to the U.S. PTO:</p> <p>[ ] and the international preliminary examination report states that the criteria of novelty, inventive step (non-obviousness) and industrial activity, as defined in PCT Article 33(2) to (4) have been satisfied for all the claims presented in the application entering the national stage (37 CFR 1.492(a)(4)) ..... \$100.00</p> <p>[ ] and the above requirements are not met (37 CFR 1.492(a)(1))</p> <p>.....</p> <p>\$690.00</p> <p>[x] U.S. PTO WAS NOT INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where no international preliminary examination fee as set forth in § 1.482 has been paid to the U.S. PTO, and payment of an international search fee as set forth in § 1.445(a)(2) to the U.S. PTO:</p> <p>[ ] has been paid (37 CFR 1.492(a)(2)) ..... \$710.00</p> <p>[ ] has not been paid (37 CFR 1.492(a)(3)) ..... \$1,000.00</p> <p>[x] where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 CFR 1.492(a)(5)) ..... \$860.00</p>				
Total of above Calculations					860.00
Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed. (note 37 CFR 1.9, 1.27, 1.28)					-430.00
Subtotal					
Total National Fee					\$430.00
Fee for recording the enclosed assignment document \$40.00 (37 CFR 1.21(h)). (See Item 13 below). See attached "ASSIGNMENT COVER SHEET".					
TOTAL	Total Fees enclosed				\$430.00

\*See attached Preliminary Amendment Reducing the Number of Claims.

- i.  A check in the amount of 430.00 to cover the above fees is enclosed.
- ii.  Please charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.

A duplicate copy of this sheet is enclosed.

**\*\*WARNING:** *"To avoid abandonment of the application the applicant shall furnish to the United States Patent and Trademark Office not later than the expiration of 30 months from the priority date: \* \* \* (2) the basic national fee (see § 1.492(a)). The 30-month time limit may not be extended." 37 C.F.R. § 1.495(b).*

**WARNING:** *If the translation of the international application and/or the oath or declaration have not been submitted by the applicant within thirty (30) months from the priority date, such requirements may be met within a time period set by the Office. 37 C.F.R. § 1.495(b)(2). The payment of the surcharge set forth in § 1.492(e) is required as a condition for accepting the oath or declaration later than thirty (30) months after the priority date. The payment of the processing fee set forth in § 1.492(f) is required for acceptance of an English translation later than thirty (30) months after the priority date. Failure to comply with these requirements will result in abandonment of the application. The provisions of § 1.136 apply to the period which is set. Notice of Jan. 3, 1993, 1147 O.G. 29 to 40.*

3.  A copy of the International application as filed (35 U.S.C. 371(c)(2)):

**NOTE:** *Section 1.495 (b) was amended to require that the basic national fee and a copy of the international application must be filed with the Office by 30 months from the priority date to avoid abandonment "The International Bureau normally provides the copy of the international application to the Office in accordance with PCT Article 20. At the same time, the International Bureau notifies applicant of the communication to the Office. In accordance with PCT Rule 47.1, that notice shall be accepted by all designated offices as conclusive evidence that the communication has duly taken place. Thus, if the applicant desires to enter the national stage, the applicant normally need only check to be sure the notice from the International Bureau has been received and then pay the basic national fee by 30 months from the priority date." Notice of Jan. 7, 1993, 1147 O.G. 29 to 40, at 35-36. See item 14c below.*

- a.  is transmitted herewith.
- b.  is not required, as the application was filed with the United States Receiving Office.
- c.  has been transmitted
  - i.  by the International Bureau.  
Date of mailing of the application (from form PCT/IB/308): \_\_\_\_\_.
  - ii.  by applicant on \_\_\_\_\_.  
Date \_\_\_\_\_.

4.  A translation of the International application into the English language (35 U.S.C. 371(c)(2)):

- a.  is transmitted herewith.
- b.  is not required as the application was filed in English.
- c.  was previously transmitted by applicant on \_\_\_\_\_.  
Date \_\_\_\_\_.
- d.  will follow.

5.  Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. 371(c)(3)):

**NOTE:** *The Notice of January 7, 1993 points out that 37 C.F.R. § 1.495(a) was amended to clarify the existing and continuing practice that PCT Article 19 amendments must be submitted by 30 months from the priority date and this deadline may not be extended. The Notice further advises that: "The failure to do so will not result in loss of the subject matter of the PCT Article 19 amendments. Applicant may submit that subject matter in a preliminary amendment filed under section 1.121. In many cases, filing an amendment under section 1.121 is preferable since grammatical or idiomatic errors may be corrected" 1147 O.G. 29-40, at 36.*

- a.  are transmitted herewith.
- b.  have been transmitted
  - i.  by the International Bureau.  
Date of mailing of the amendment (from form PCT/IB/308): \_\_\_\_\_.
  - ii.  by applicant on \_\_\_\_\_.  
Date \_\_\_\_\_
- c.  have not been transmitted as
  - i.  applicant chose not to make amendments under PCT Article 19.  
Date of mailing of Search Report (from form PCT/ISA/210): Dec. 16, 1999.
  - ii.  the time limit for the submission of amendments has not yet expired.  
The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.

6.  A translation of the amendments to the claims under PCT Article 19 (38 U.S.C. 371(c)(3)):

- a.  is transmitted herewith.
- b.  is not required as the amendments were made in the English language.
- c.  has not been transmitted for reasons indicated at point 5(c) above.

7.  A copy of the international examination report (PCT/IPEA/409)

- is transmitted herewith.
- is not required as the application was filed with the United States Receiving Office.

8.  Annex(es) to the international preliminary examination report

- a.  is/are transmitted herewith.
- b.  is/are not required as the application was filed with the United States Receiving Office.

9.  A translation of the annexes to the international preliminary examination report

- a.  is transmitted herewith.
- b.  is not required as the annexes are in the English language.

10.  An oath or declaration of the inventor (35 U.S.C. 371(c)(4)) complying with 35 U.S.C. 115

a.  was previously submitted by applicant on \_\_\_\_\_  
Date

b.  is submitted herewith, and such oath or declaration

i.  is attached to the application.

ii.  identifies the application and any amendments under PCT Article 19 that were transmitted as stated in points 3(b) or 3(c) and 5(b); and states that they were reviewed by the inventor as required by 37 C.F.R. 1.70.

c.  will follow.

Other document(s) or information included:

11.  An International Search Report (PCT/ISA/210) or Declaration under PCT Article 17(2)(a):

a.  is transmitted herewith.

b.  has been transmitted by the International Bureau.  
Date of mailing (from form PCT/IB/308): \_\_\_\_\_.

c.  is not required, as the application was searched by the United States International Searching Authority.

d.  will be transmitted promptly upon request.

e.  has been submitted by applicant on \_\_\_\_\_  
Date

12.  An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98:

a.  is transmitted herewith.  
Also transmitted herewith is/are:  
 Form PTO-1449 (PTO/SB/08A and 08B).  
 Copies of citations listed.

b.  will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. 371(c).

c.  was previously submitted by applicant on \_\_\_\_\_  
Date

13.  An assignment document is transmitted herewith for recording.

A separate  "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or  FORM PTO 1595 is also attached.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14.  Additional documents:

- a.  Copy of request (PCT/RO/101)
- b.  International Publication No. WO 00/13956
  - i.  Specification, claims and drawing
  - ii.  Front page only
- c.  Preliminary amendment (37 C.F.R. § 1.121)
- d.  Other

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15.  The above checked items are being transmitted

- a.  before 30 months from any claimed priority date.
- b.  after 30 months.

16.  Certain requirements under 35 U.S.C. 371 were previously submitted by the applicant on \_\_\_\_\_, namely:

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#### AUTHORIZATION TO CHARGE ADDITIONAL FEES

**WARNING:** *Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.*

**NOTE:** *"A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).*

**NOTE:** *"Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).*

The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the entire pendency of this application to Account No. 12-0425.

37 C.F.R. 1.492(a)(1), (2), (3), and (4) (filing fees)

**WARNING:** *Because failure to pay the national fee within 30 months without extension (37 C.F.R. § 1.495(b)(2)) results in abandonment of the application, it would be best to always check the above box.*

37 C.F.R. 1.492(b), (c) and (d) (presentation of extra claims)

**NOTE:** *Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must*

09/786190

JC02 Rec'd PCT/PTO 01 MAR 2001

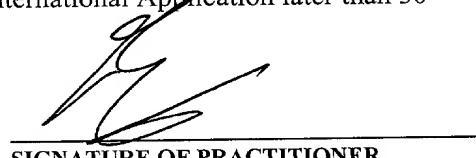
only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.492(d)), it might be best not to authorize the PTO to charge additional claim fees, except possible when dealing with amendments after final action.

- 37 C.F.R. 1.17 (application processing fees)
- 37 C.F.R. 1.17(a)(1)-(5)(extension fees pursuant to § 1.136(a)).
- 37 C.F.R. 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

NOTE: 37 C.F.R. 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 C.F.R. § 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

- 37 C.F.R. § 1.492(e) and (f) (surcharge fees for filing the declaration and/or filing an English translation of an International Application later than 30 months after the priority date).



SIGNATURE OF PRACTITIONER

Reg. No.: 25,858

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(type or print name of practitioner)

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CUSTOMER NO.:00140

SNOW-TYPE BIKE

This invention relates to a snow-type bike sometimes known as a ski bob or snowscoot.

5 Snow-type bikes have become popular with snow sport enthusiasts, and a known bike, more particularly a ski bob, is shown in Figure 1. This known snow-type bike has a frame 1 formed of a crossbar 2 to which is secured a seat pillar 3 and a handlebar headset 4. Pivots mounted in the headset is a 10 handlebar column 5, the lower end of which is pivotally mounted in the headset and the upper end of the column 5 is secured to a pair of user-operable handlebars 6. The handlebars are connected through the column 5 in the headset 4 to a column 7 that is connected via a suspension unit 8 to a 15 forward ski 9. The pillar 3 is attached to a seat saddle 10 and the saddle is attached by a strut 11 to a rearward end of a rear ski 12 through a suspension unit 14, the forward end of the rear ski 12 being attached by a support member 13 to the headset. The terms "forward" and "rear" used herein refer to 20 directions in use, i.e. leading and trailing. Such a known ski bob is ridden by a user who wears a pair of foot skis 15 so as to stabilise the user. Thus, in use, the ski bob is ridden and steered by a user via the forward ski 9 and, of necessity, has their feet on the snow through the intermediary 25 of the foot skis for stability.

A further form of snow-type bike, which is known as a snowscoot, is shown in Figure 2. In this form of device, there is an inverted Y-shaped frame 20 connected to a headset 24 which pivotally locates a column 25 supporting a pair of 30 handlebars 26. The lower end of the column 25 is connected to a pair of forks 27 with a lower end of the forks being connected to a forward ski 29. The frame 20 has a frame member 21 laterally centrally secured to a forward end of a rear ski 30 and another frame member 22 laterally centrally

-2-

connected toward a rearward end of the rear ski 30. The rear ski 30 supports a platform 31 having an upturned rear end and at a forward end is located a strap 32 for securing a user's feet, in use located one on each side of the frame member 22. In use of the device of Figure 2, a user stands with both feet on the rear ski 30 and steers the device by the handlebars 26.

It is known that users of BMX bikes like to jump over obstacles and to perform freestyle movements of the bikes and of themselves when in mid-air, and a similar desire exists with snow enthusiasts. Neither of the forementioned devices are able to permit such freestyle use to the level and style found in BMX-ing. In the former device of Figure 1, a user, of necessity, has to use a pair of foot skis because the rear ski 12 is too narrow to support a user, and in the snowscoot of Figure 2 a user's feet are secured to the rear ski which may cause a user injury in a crash. Furthermore, the snowscoot of Figure 2 does not have a seat.

US-A-4,097,055, FR-A-2 521 937 and US-A-3,870,330 disclose a snow-type bike having a frame supporting a seat for a user and located beneath the seat is a rear ski member. A forward ski member is attached to a handlebar steering member. Footrests extend on each side of the frame at a location between the seat and the plane of the rear ski member. However, in such prior art arrangements the rear ski member is fixedly secured to the frame and, as a result, not only are such snow-type bikes uncomfortable but also the rear ski member tends to fracture in use.

The present invention seeks to at least partially mitigate the foregoing disadvantages.

According to a first aspect of this invention there is provided a snow-type bike for use in snow comprising frame

-2A-

means supporting seat means for a user and steering means, said frame means having a longitudinal axis, a rear ski member 5 attached to said frame means, a forward ski member attached to said steering means, the attachment of said rear and forward ski members being on said longitudinal axis and the attachment of the frame means to the rear ski member being at longitudinally spaced locations of the frame means, and 10 footrest means extending on each side of the frame means at a location between said seat means and the plane of said rear ski member, characterised by means being provided for permitting the rear ski member to flex between said spaced locations.

15 Preferably, footrest means is fixedly located on said frame means or on said rear ski member.

Preferably, the forward and rear ski members have a width two or more times, preferably four times, the width of a normal recreation ski.

20 Conveniently, the front and rear ski members have the same width.

Preferably, said frame means comprises first and second frame members each joined at a respective first end thereof to a headset member and joined at a second, opposed end thereof to a third frame member, said third frame member being located 5 substantially parallel to said rear ski member, said third frame member carrying said footrest means.

Preferably, the footrest means comprise a pair of footrests extending one on each side of said frame means.

Conveniently, the vicinity of the juxta position of the 10 first and third frame members and the second and third frame members forms a securing location of the frame means to the rear ski member.

Advantageously, the first frame member supports the seat means.

15 Preferably, the headset pivotally supports the steering means which comprises a pair of handlebars attached to at least one fork member, a lower end of at least one fork member being attached to the forward ski member.

Advantageously, a pair of fork members are provided.

20 Advantageously, the handlebars at a location in the vicinity of the headset are shaped and spaced to accommodate a drag lift or other tow lift.

Preferably, the fork members are pivotally attached directly or indirectly to the forward ski member.

25 Advantageously, the forward ski member is pivotally attached to the fork members for movement about at least one of an axis which is transverse to the longitudinal direction of the frame means and an axis which is along the longitudinal direction of the frame means, both said axes 30 being defined when the forward and rear ski members are aligned.

Advantageously, the rear ski member is pivotally attached to the frame means for movement about a longitudinal axis of the frame means.

-4-

In an embodiment of the invention the frame means is attached to the rear ski member by suspension means and, 5 advantageously, the steering means may be attached to the forward ski member through the intermediary of one or more suspension members.

Where the front ski member is pivotally connected to the steering means, preferably means are provided for damping 10 pivotal motion of said front ski member.

Advantageously, the frame means is attached to the rear ski member at longitudinally spaced locations of the frame and means are provided for permitting the rear ski member to flex between said spaced locations.

15 Preferably, said footrest means include an abrasive upper foot engaging surface.

In this invention the footrest means are located above the rear ski member giving substantial room for a user's feet to extend over the edge of the rear ski member, if desired, 20 without the user's feet hitting the ground. A user is, thus, able to stand on the footrest means with their legs slightly apart giving a more natural stance during normal riding. The invention has the following advantages:

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1. A user can absorb greater vertical impact from a jump without exerting masses of forward or backward lean which impairs control and stability.
2. A user can take greater vertical impact from a jump, absorbing the pressure through the bike and the user's legs simultaneously.
3. A user can ride over rough ground more freely.
4. A user's feet are not restricted by skis, as in Figure 1, or a strap, as in Figure 2, so that a user is able to perform a greater number of popular freestyle manoeuvres.
5. Without the requirement of skis on a user's feet, as in Figure 1, or the strap of Figure 2, a user is less likely to sustain leg injury.
6. A user who has larger feet or who is wearing warmer, bulkier footwear will not have their performance

restricted as in the prior art.

The invention will now be described, by way of example, with reference to the accompanying drawings in which:

Figure 1 shows a perspective view of a prior art snow-type bike known as a ski bob,

Figure 2 shows a perspective view of another prior art snow-type bike known as a snowscoot,

Figure 3 shows a perspective view of a snow-type bike in accordance with this invention, known as a BOARDBIKE™,

10 Figure 4 shows a partial side view of the snow-type bike of Figure 3,

Figure 5 shows a perspective view of a second embodiment of the present invention,

15 Figures 6(a) and 6(b) show mutually orthogonal partial views of an alternative embodiment of a snow-type bike of this invention having a damper for pivotal motion of the forward ski,

Figure 7 shows a partial side view of a rear ski member 20 secured to a frame in an alternative embodiment of the snow-type bike of this invention, and

Figure 8 shows a perspective view of a bracket used in the embodiment of Figure 7.

In the Figures like reference numerals denote like parts.

25 The snow-type bike shown in Figures 3 and 4 has a frame 50 formed of a first member 51 which forms a cross bar and a seat securement member, a second frame member 52 and a third frame member 53, the third frame member having opposed ends 30 attached to respective ends of the first and second members 51, 52. Opposed ends of the frame members 51, 52 are secured to a headset 54. The headset pivotally locates a handlebar stem 55 which forms a T-section with a cross member 56. Opposed ends of the cross member 56 are attached to a respective one of a pair of user-operable handlebars 57 which

are braced in the vicinity of the cross member 56 by a bar 58.

The outer ends of each handlebar 57 are provided with a hand grip 59. The first member 51 carries at least one stay 60 and, preferably, there are two such stays 60 which support a seat 61. The third frame member carries, on each lateral side thereof, a footrest 62 preferably having an abrasive upper foot engaging surface, e.g. spikes, for a user, the lateral width of the footrest depending on the size of the bike, which, in turn, will depend upon the size of a user. It is envisaged that the footrests 62 will be substantially the width of a user's footwear, although a slightly narrower footrest could be used, provided that the footrest was comfortable to a user. The footrest may, if desired, be located on an upper surface of the rear ski member.

15 Secured in the vicinity of the juxta position of the first and third frame members and the second and third frame members via brackets 64, 65 is a rear ski member 67 which is substantially parallel to the third frame member 53. The rear ski member, preferably, has upturned front and rear ends and 20 the rear ski member has a width substantially the same as that of the overall width of the footrest. However, if the footrest is located a sufficient height above the rear ski member, the footrest lateral width may be greater than that of the rear ski member. The reason for the rear ski member 25 having substantially the same width as the footrest is so that the footrests do not contact the snow when cornering. Footrests are provided since, if a user places their feet directly on the rear ski member 67, the board forming the rear ski member flexes and the load imparted by the user's feet on 30 the rear ski member affects directional stability.

The stem 55 is preferably connected through bearings or bushes in the headset 54 to a pair of front forks 70, although it is possible that a single fork member may be provided. The lower ends, in use, of the forks 70 are located in a U-shaped

bracket 71 that attaches the forks to a forward ski member 72. The forward ski member 72 may have an upturned front portion and the rear portion of the forward ski member 72 may also be upturned. The connection between the forks and the forward 5 ski member 72 may be pivotally located to permit the ski member to move in the direction of double arrow-headed lines 73, shown in Figure 4.

Preferably, the forward and rear ski members have a width two or more times, preferably four times, the width of a 10 normal recreation ski.

Conveniently, the front and rear ski members have the same width.

It is also envisaged that the frame 50 and the front fork 70 may be attached to the rear and forward ski members by 15 joints which permit the ski members to remain horizontal while the frame and forks tilt with respect thereto about a longitudinal axis of the frame, e.g. when cornering.

The handlebars 57 are shaped and arranged so as to accommodate between the respective handlebars a drag lift 75, 20 or other tow lift, shown in broken lines in Figures 3 and 4. In this respect, the handlebars are spaced so as to accept the drag lift pole 76, but to retain an end 77 which may be an enlarged circular end, as shown, or a T-shaped end, so that the board bike may be carried up a slope by a drag lift.

25 Although not shown in Figures 3 and 4, the frame could be mounted onto the rear ski member via the intermediary of suspension means and similarly the front forks 70 may be attached to the forward ski member by suspension means.

Referring to Figure 5, a second embodiment of the 30 invention is shown in which the frame is mounted on the rear ski member via a suspension.

The snow-type bike of Figure 5 has a frame 80 formed in the shape of a letter Y, the stem 81 of the Y-shape having one end attached to a headset 98, a first limb 82 of the Y-shape

being secured to a seat 83 and via a suspension device including a pneumatic or hydraulic strut 84 to a pivot in a bracket 85 secured to a rear ski member 86. The strut 84 is pivoted at its upper end to the first limb 82 and the strut is 5 held in expansion by a compression spring 87. Another limb 88 of the Y-shape is bifurcated with one portion of the bifurcation being attached to footrests 89 located on respective opposing sides of the limb 88 and the other portion of the bifurcation is pivotally mounted to a link device 90. 10 The link device 90 is formed of a first link 91 that has one end pivotally attached to the limb 88 and the other end thereof is pivotally attached to a further link 92, the link 92 being pivotally located in a U-shaped saddle member 93 that is secured to a forward end of the rear ski member 86.

15 The headset 98 pivotally supports the handlebars 57. The headset 82 is positioned intermediate an upper triangular member 94 and a lower triangular member 95 at the apex of the members 94, 95 with a pair of pillars 96 being provided as supports at a respective corner of the members 94, 95. 20 Axially located below each of the pillars 96 on an opposite side of the lower triangular member 95 is a pair of front telescopic struts 97 which may be spring mounted. A lower end of the struts 97 are pivotally located on the U-shaped bracket 71 which is secured to the forward ski member 72.

25 In this embodiment, the rear ski member 86 is suspended to the frame 80 and the forward ski member 72 is also suspended to the steering mechanism by the struts 97. The front suspension in this embodiment is, however, optional.

The upper, foot engaging, surface of the footrests 62 30 and 89 may be provided with a high friction surface such as protruding spikes.

It will be understood that by having footrests located, in use, above the rear ski member 61, 86, so a user may lean the board bike when negotiating a turn or bend without the

user's feet contacting the ground, the amount of lean being dependent upon the height of the footrests above the rear ski member and the width of the rear ski member in relation to the width of the footrests although, as herein stated above, the width of both the rear and front ski members is more than twice and, preferably, four times the width of a normal recreational ski. The use of raised footrests also improves use of the snow-type bike for a user with larger feet or bigger boots.

10 A damper for a pivoting forward ski member is shown in Figures 6(a) and 6(b). The forks 70 are each pivotally attached by axles 110 that extend transversely to the longitudinal axis of the frame (the axis being defined when the forward and rear ski members are in alignment) to a 15 transverse member 111 interconnecting the forks. Located below, in use, the member 111 is an elastomeric or rubber or other suitable resilient block 112, acting as a damper, although it is to be understood that any suitable shock absorbing means known per se may be alternatively used. The 20 block 112 is mounted on a plate 113 for transmitting load to the forward ski 72 at a location forward of the axles 110. Not only does the damper block 112 damp pivoting of the forward ski, but it also permits a more controllable use of the snow-type bike, and also assists in reducing fracture of 25 the forward ski member 72.

If the frame members 51 and 52 are fixedly secured to the rear ski member 67, it is possible that fracture of the rear ski member may occur. So as to reduce the risk of such fractures, the frame members 51 and 52 are fixedly or 30 pivotally connected, as shown in Figure 7, to a forward (in use) bracket 120 and a rearwardly mounted bracket 121, the brackets 120, 121 being secured to the rear ski member 67 by rivets or bolts acting through resilient (e.g. rubber or elastomeric) bushings. Alternatively, the brackets 120, 121

may have a resilient member sandwiched between a lower surface of the brackets and an upper surface of the rear ski member 67.

One of the brackets 121 is shown in detail in Figure 8. 5 The bracket has a generally U-shaped form having a base 125 and opposed side faces 126 each with a hole 127 for securement to the frame members 51, 52. In a longitudinal direction of the frame the bracket has two pairs of slots 128 extending through the base 125. The bracket 120 may 10 also have similar slots 128 or may, alternatively, simply have circular holes. The slots 128 are fixing apertures for the bolts/rivets for attachment of the frame to the rear ski member 67. Because of the provision of slots 128, so the fixings which are resiliently mounted, and which are 15 securely fixed to the board, are able to move with respect to the bracket 121. Thus, if there should be flexing of the rear ski member 67, such flexing is permitted by virtue of the slots 128.

Although this invention has been described in relation 20 to a snow-type bike for use in snow, it is envisaged that the BOARDBIKE™ could be used on water or a man-made ski slope, if so desired.

The present invention outperforms the snowscoot in its 25 ability to turn more easily. This is due to the seat which is in a position that enables the user to lean against the frame with the inside of their leg to turn the bike effortlessly. The snowscoot does have a down frame member for this purpose, but it is not as effective.

On a snowscoot the user has to be right over the front 30 thereof to make full use of the down frame member and once a rider leans backwards, the frame member disappears from their range. Even when in range, the amount of leverage gained from the frame member is not as much as when leaning against the BOARDBIKE™. This is because the seat of this invention may

be soft and wide and a user of any size can use it to get leverage in all riding positions, even when they are leaning backwards away from the bike.

-12-

CLAIMS:

1. A snow-type bike for use in snow comprising frame means (50-53) supporting seat means (60, 61) for a user and steering means (54-59, 70), said frame means having a longitudinal axis, a rear ski member (67) attached to said frame means, a forward ski member attached to said steering means, the attachment of said rear and forward ski members being on said longitudinal axis and the attachment of the frame means to the rear ski member being at longitudinally spaced locations of the frame means, and footrest means (62) extending on each side of the frame means at a location between said seat means and the plane of said rear ski member, characterised by means being provided for permitting the rear ski member to flex between said spaced locations.
2. A snow-type bike as claimed in claim 1, wherein the footrest means is fixedly located on said frame means or on said rear ski member.
3. A snow-type bike as claimed in claim 1 or 2, wherein the forward (72) and rear (67) ski members have a width two or more times the width of a normal recreation ski.
4. A snow-type bike as claimed in claim 3, wherein the forward (72) and rear (67) ski members have a width four times the width of a normal recreation ski.
5. A snow-type bike as claimed in any preceding claim, wherein the front and rear ski members have the same width.

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6. A snow-type bike as claimed in any preceding claim, wherein said frame means comprises first (51) and second (52) frame members each joined at a respective first end thereof to a headset member (54) and joined at a second, opposed end thereof to a third frame member (53), said third frame member being located substantially parallel to said rear ski member (67), said third frame member carrying said footrest means (62).

7. A snow-type bike as claimed in claim 6, wherein the footrest means comprise a pair of footrests (62) extending one on each side of said frame means.

8. A snow-type bike as claimed in claim 6, wherein the vicinity of the juxtaposition of the first and third frame members and the second and third frame members forms a securing location of the frame means to the rear ski member.

9. A snow-type bike as claimed in any of claims 6 to 8, wherein the first frame member (51) supports the seat means (60, 61).

10. A snow-type bike as claimed in any of claims 6 to 9, wherein the headset (54) pivotally supports the steering means (55 - 59, 70) which comprises a pair of handlebars (57) attached to at least one fork member (70), a lower end of at least one fork member being attached to the forward ski member (72).

11. A snow-type bike as claimed in claim 10, wherein a pair of fork members are provided.

12. A snow-type bike as claimed in claim 10 or 11, wherein the handlebars at a location in the vicinity of the headset are shaped and spaced to accommodate a drag lift (75) or other tow lift.

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14

13. A snow-type bike as claimed in claim 11 or 12, wherein the fork members (70) are pivotally attached directly or indirectly to the forward ski member.

14. A snow-type bike as claimed in claim 11, 12 or 13, wherein the forward ski member (72) is pivotally attached to the fork members for movement about at least one of an axis which is transverse to the longitudinal direction of the frame means and an axis which is along the longitudinal direction of the frame means, both said axes being defined when the forward and rear ski members are aligned.

15. A snow-type bike as claimed in any preceding claim, wherein the rear ski member (67) is pivotally attached to the frame means for movement about a longitudinal axis of the frame means.

16. A snow-type bike as claimed in any preceding claim, wherein the frame means (80) is attached to the rear ski member (86) by suspension means (84, 85).

17. A snow-type bike as claimed in any preceding claim, wherein the steering means is attached to the forward ski member (72) through the intermediary of one or more suspension members (97).

18. A snow-type bike as claimed in any preceding claim, wherein, where the front ski member is pivotally connected to the steering means, there is provided means for damping pivotal motion of said front ski member.

19. A snow-type bike as claimed in any preceding claim, wherein said means for permitting the rear ski member to flex include resilient bushings.

-15-

20. A snow-type bike as claimed in any preceding claim,  
wherein said footrest means include an abrasive upper foot  
5 engaging surface.

1/5

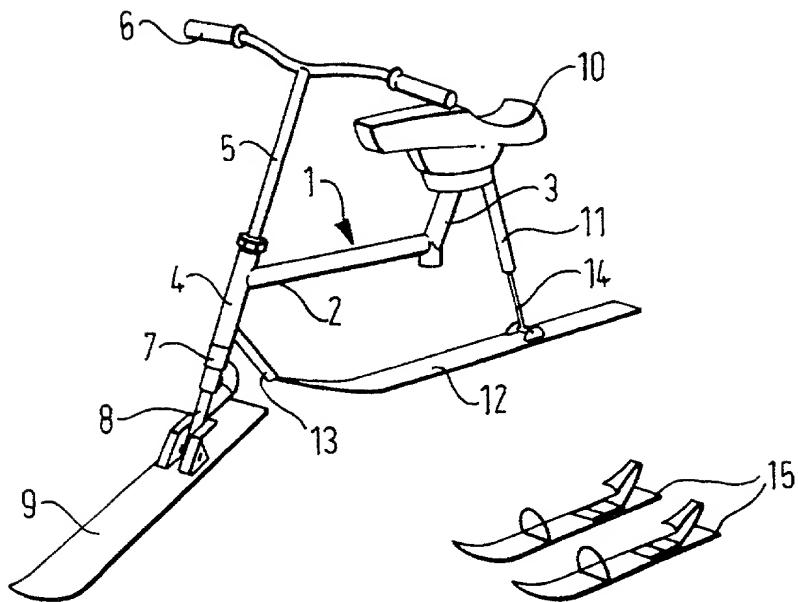


FIG. 1  
PRIOR ART

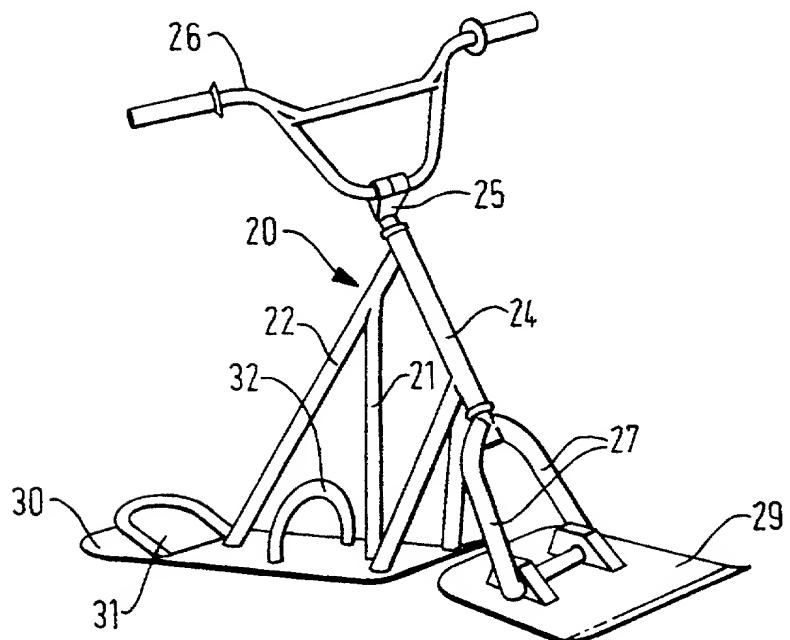


FIG. 2  
PRIOR ART

2/5

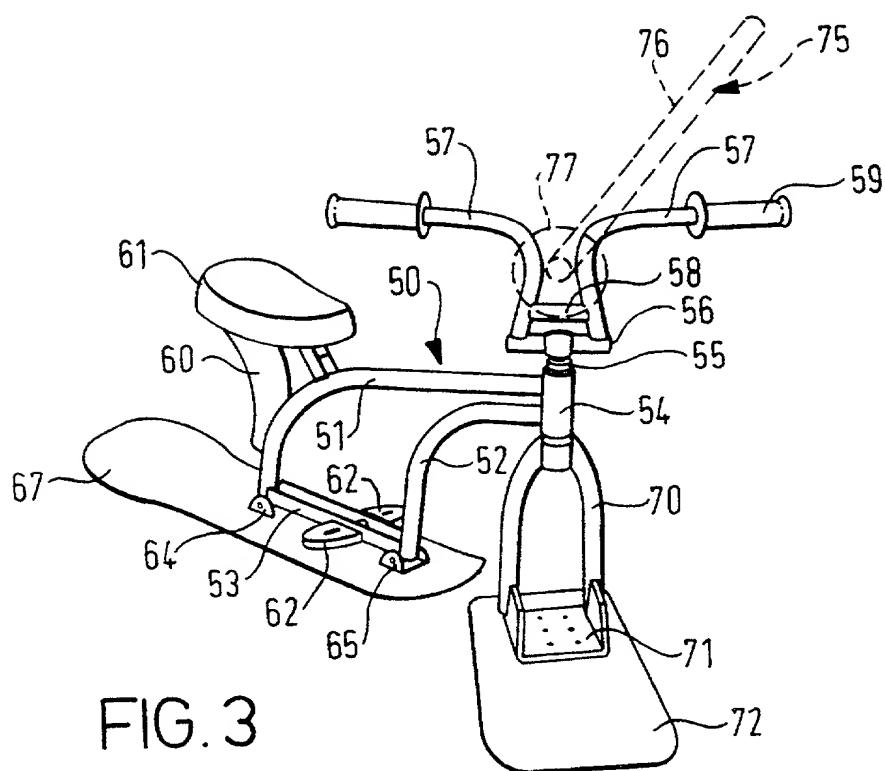


FIG. 3

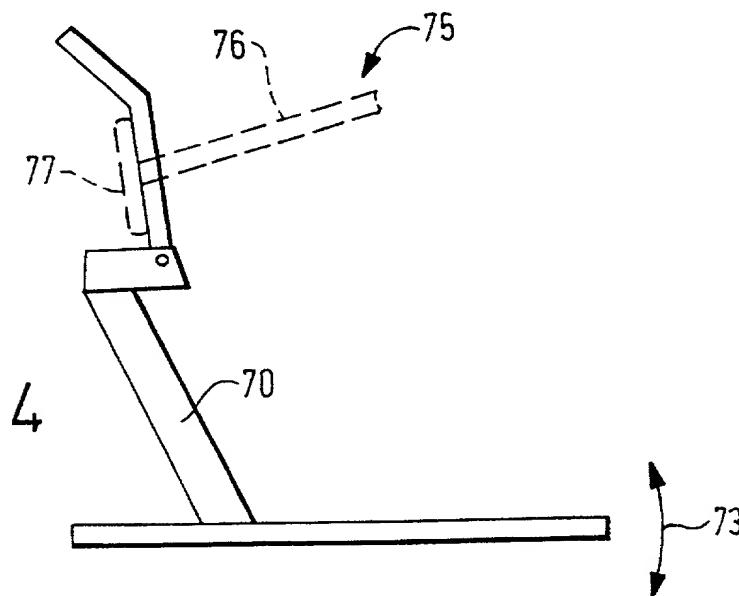


FIG. 4

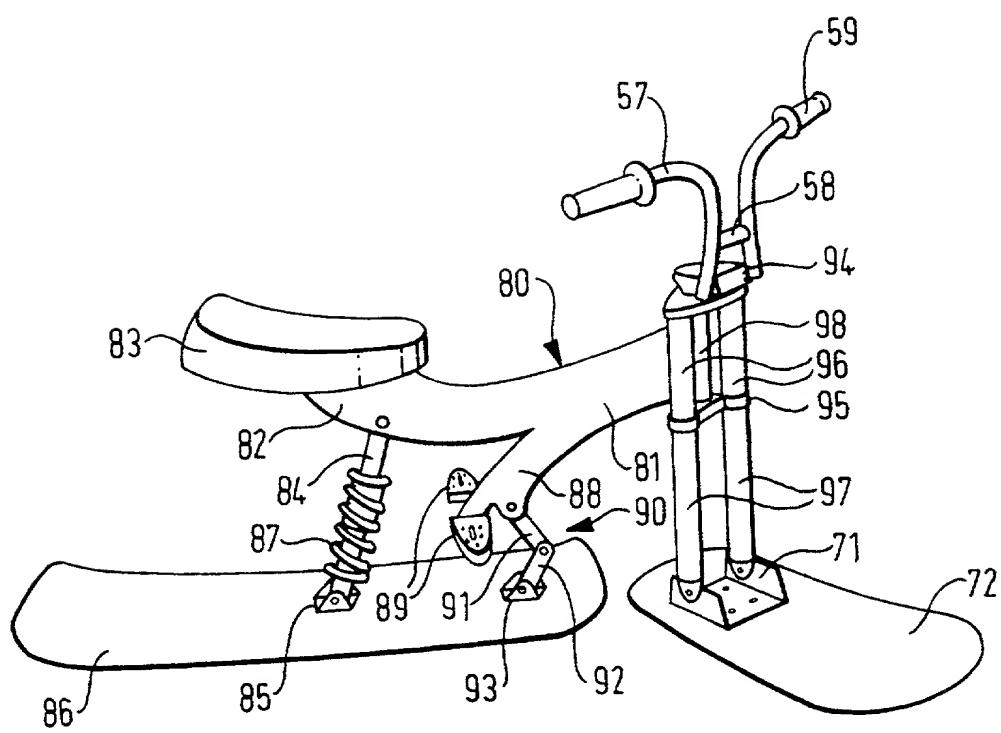


FIG. 5

4/5

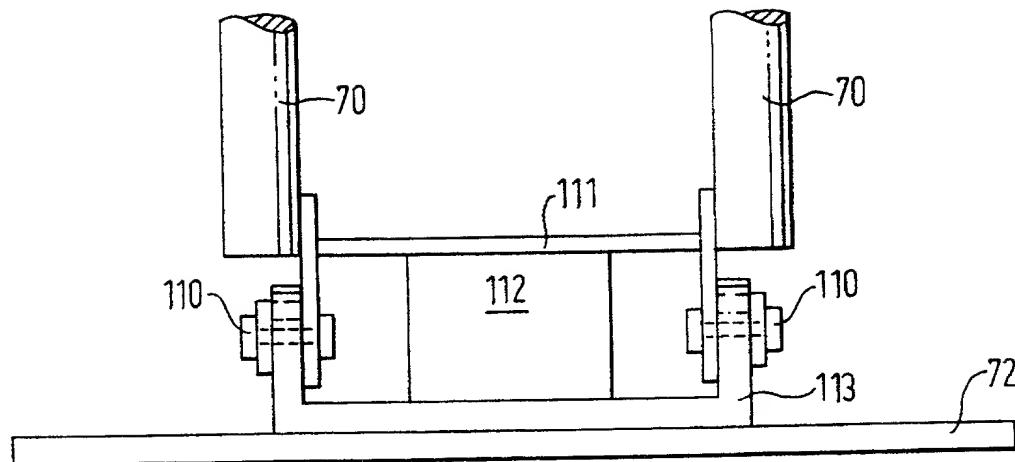


FIG. 6a

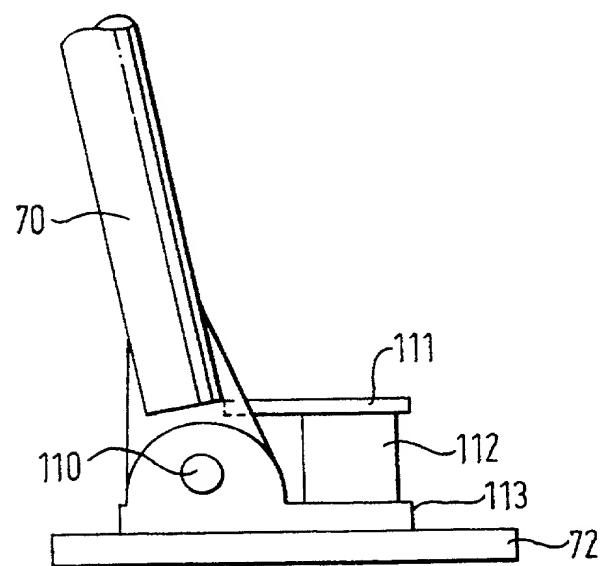


FIG. 6b

5/5

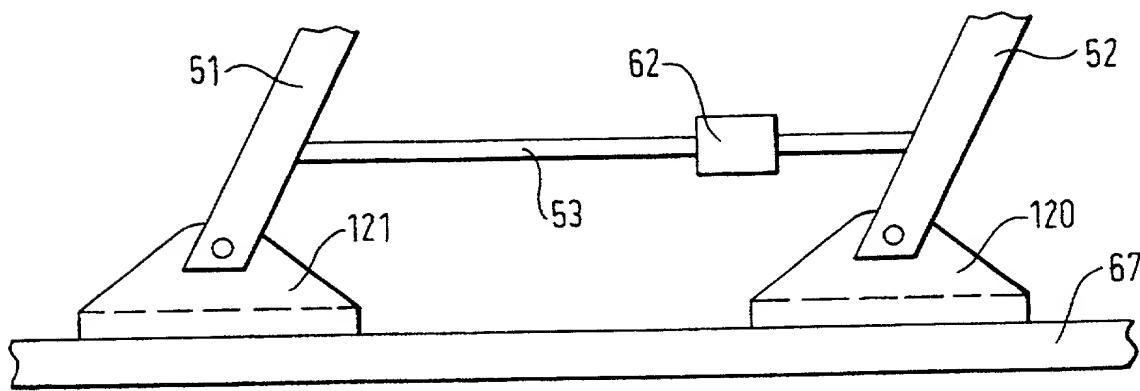


FIG. 7

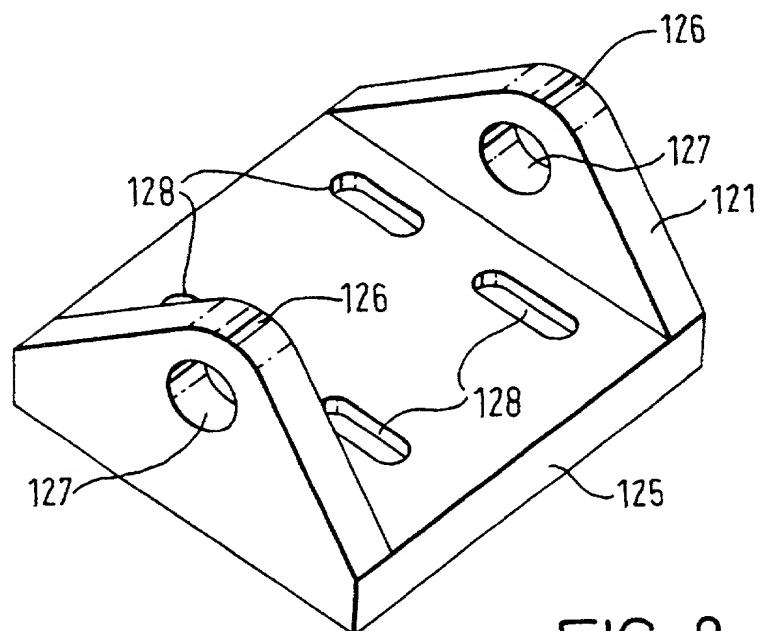


FIG. 8

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

[ ] In re application of:

Application No.:

Filed:

For:

Group No.:

Examiner:

[ ] \*Patent No.:

Issue Date:

\*NOTE: Insert name(s) of inventor(s) and title also for patent. Where statement is with respect to a maintenance fee payment, also insert application number and filing date, and add Box M. Fee to address.

**STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(c-f) and 1.27(b-d))**

With respect to the invention described in

[ ] the specification filed herewith.

[x] application no. PCT/GB99/02988, filed 8/9/99.

[ ] patent no. \_\_\_\_\_ issued \_\_\_\_\_.

**I. IDENTIFICATION AND RIGHTS AS A SMALL ENTITY**

I hereby state that I am

*(complete either (a), (b), (c) or (d) below)*

## (a) Independent Inventor

[x] a below named independent inventor, and that I qualify as an independent inventor, as defined in 37 CFR 1.9(c), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office.

## (b) Noninventor Supporting a Claim by Another

[ ] making this statement to support a claim by

---

for a small entity status for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code. I hereby state that I would qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, if I had made the above identified invention.

## (c) Small Business Concern

[ ] the owner of the small business concern identified below:

[ ] an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern \_\_\_\_\_

Address of Concern \_\_\_\_\_ and \_\_\_\_\_

that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

(d) Non-Profit Organization

an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization \_\_\_\_\_

Address of Organization \_\_\_\_\_

TYPE OF ORGANIZATION

University or Other Institution of Higher Education

Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3))

Nonprofit Scientific or Educational Under Statute of State of the United States of America

(Name of State \_\_\_\_\_)

(Citation of Statute \_\_\_\_\_)

Would Qualify as Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)), if Located in the United States of America

Would Qualify as Nonprofit Scientific or Educational Under Statute of State of the United States of America, if Located in the United States of America

(Name of State \_\_\_\_\_)

(Citation of Statute \_\_\_\_\_)

and that the nonprofit organization identified above qualifies as a nonprofit organization, as defined in 37 CFR 1.9(e), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code.

**II. OWNERSHIP OF INVENTION BY DECLARANT**

I hereby state that rights under contract or law remain with and/or have been conveyed to the above identified

person  
(item (a) or (b) above)

concern  
(item (c) above)

organization  
(item (d) above)

EXCEPT, that if the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held (1) by any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a nonprofit organization under 37 CFR 1.9(e).

no such person, concern, or organization  
 person, concerns or organizations listed below\*

*\*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 CFR 1.27)*

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
 INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
 INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

### **III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE**

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

### **IV. DECLARATION**

*(check the following item, if desired)*

**NOTE:** *The following verification statement need not be made in accordance with the rules published on October 10, 1997, 62 Fed. Reg. 52131, effective December 1, 1997.*

**NOTE:** *"The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(d) and 10.23(c)(15)." 37 CFR 1.4(d)(2).*

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Practitioner's Docket No. U 013288-1



**PATENT**

Optional Customer No. Bar Code →

**00140**

PATENT TRADEMARK OFFICE

**COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

*(check one applicable item below)*

original.  
 design.

**NOTE:** *With the exception of a supplemental oath or declaration submitted in a reissue, a supplemental oath or declaration is not treated as an amendment under 37 CFR 1.312 (Amendments after allowance). M.P.E.P. Section 714.16, 7<sup>th</sup> Ed.*

supplemental.

**NOTE:** *If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.*

national stage of PCT.

**NOTE:** *If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.*

**NOTE:** *See 37 C.F.R. Section 1.63(d) (continued prosecution application) for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.*

divisional.  
 continuation.

**NOTE:** *Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. Section 1.53(b) (application filing requirements-nonprovisional application).*

continuation-in-part (C-I-P).

*(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)*

**Signature** for fourth and subsequent joint inventors. *Number of pages added* \_\_\_\_\_

\* \* \*

**Signature** by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. *Number of pages added* \_\_\_\_\_

\* \* \*

**Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. Section 1.47. *Number of pages added* \_\_\_\_\_

\* \* \*

Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 C.F.R. Section 1.47)

\* \* \*

Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.

*Number of pages added* \_\_\_\_\_

\* \* \*

Authorization of practitioner(s) to accept and follow instructions from representative.

*(If no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)*

This declaration ends with this page.

(c)  was described and claimed in PCT International Application No. GB/99/02988 filed on 8 Sept 99 and as amended under PCT Article 19 on \_\_\_\_\_ (*if any*).

#### **SUPPLEMENTAL DECLARATION (37 C.F.R. Section 1.67(b))**

*(complete the following where a supplemental declaration is being submitted)*

I hereby declare that the subject matter of the

attached amendment  
 amendment filed on \_\_\_\_\_.

was part of my/our invention and was invented before the filing date of the original application, above identified, for such invention.

#### **ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56,

*(also check the following items, if desired)*

and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. Section 1.98.

### PRIORITY CLAIM (35 U.S.C. Section 119(a)-(d))

NOTE "The claim to priority need be in no special form and may be made by the attorney or agent if the foreign application is referred to in the oath or declaration as required by Section 1.63. The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. Section 119(b) must be filed in the case of an interference (Section 1.630), when necessary to overcome the date of a reference relied upon by the examiner, when specifically required by the examiner, and in all other situations, before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by a petition requesting entry and by the fee set forth in Section 1.17(i). If the certified copy is not in the English language, a translation need not be filed except in the case of interference; or when necessary to overcome the date of a reference relied upon by the examiner; or when specifically required by the examiner, in which event an English language translation must be filed together with a statement that the translation of the certified copy is accurate." 37 C.F.R. Section 1.55(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d)  no such applications have been filed.  
(e)  such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

### PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
GB	9819593.6	8/9/98	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

## INVENTORSHIP IDENTIFICATION

**WARNING:** *If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted*

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

### TITLE OF INVENTION

SNOW-TYPE BIKE

---

## SPECIFICATION IDENTIFICATION

The specification of which:

(complete (a), (b), or (c))

(a) [.] is attached hereto.

**NOTE:** *"The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:*

*"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration on filing;*

*"(2) name of inventor(s), and attorney docket number which was on the specification as filed; or*

*"(3) name of inventor(s), and title which was on the specification as filed."*

*Notice of July 13, 1995 (1177 O.G. 60).*

(b) [ ] was filed on \_\_\_\_\_, [ ] as Application No. \_\_\_\_\_  
[ ] and was amended on \_\_\_\_\_ (if applicable).

**NOTE:** *Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. Section 1.67.*

**NOTE:** *"The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:*

*(A) application number (consisting of the series code and the serial number, e.g., 08/123,456),*

*(B) serial number and filing date;*

*(C) attorney docket number which was on the specification as filed;*

*(D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or*

*(E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration.*

*M.P.E.P. Section 601.01(a), 7th ed.*

*(Check the following item, if applicable)*

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

**NOTE:** *"Special care should be taken in continuation or divisional applications to ensure that any change of correspondence address in a prior application is reflected in the continuation or divisional application. For example, where a copy of the oath or declaration from the prior application is submitted for a continuation or divisional application filed under 37 CFR 1.53(b) and the copy of the oath or declaration from the prior application designates an old correspondence address, the Office may not recognize, in the continuation or divisional application, the change of correspondence address made during the prosecution of the prior application. Applicant is required to identify the change of correspondence address in the continuation or divisional application to ensure that communications from the Office are mailed to the current correspondence address. 37 CFR 1.63(d)(4)." Section 601.03, M P.E.P., 7th Ed.*

---

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

**Ladas & Parry**  
**26 West 61<sup>st</sup> Street**  
**New York, N.Y. 10023**

---

*(complete the following if applicable)*

Since this filing is a [ ] continuation [ ] divisional there is attached hereto a Change of Correspondence Address so that there will be no question as to where the PTO should direct all correspondence.

#### **DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(35 U.S.C. Section 119(e))

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**

**FILING DATE**

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**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)  
UNDER 35 U.S.C. SECTION 120**

[ ] The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P) APPLICATION.

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

**NOTE:** If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. Section 120.

## POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

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## SIGNATURE(S)

NOTE Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other document.

NOTE Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 C.F.R. Section 1.63(a)(3).

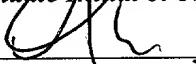
NOTE Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, *inter alia*, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997.

### Full name of sole or first inventor

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Inventor's signature 

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